



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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21

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) MICHAEL STRAHER (applicant) (3) _____
(2) ARDIN MARSCHER (examiner) (4) _____

Date of interview 6-29-01

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: _____

Agreement ☒ was reached with respect to some or all of the claims in question, pending further review ☐ was not reached.

Claims discussed: 1-26

Identification of prior art discussed: Cosy et al.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Straher was

informed that the enablement requirement regarding the elected species starting
of synthesis could be overcome by the unit inserting the Cosy et al. synthesis.
Thus, all requirements are overcome at this time. No further action is required from
applicant at this time. A review for allowability & possible interferences will now proceed.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☒ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature

APPER

ARDIN H. MARSCHER
PRIMARY EXAMINER

08/973381
PTOL 413 (REV. 2-93)

OFFICIAL TO SUBMIT TO THE PATENT AND TRADEMARK OFFICE



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22

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) MICHAEL STRAHER (gpi, ny) (3) _____
(2) ARDIN MARSCHEL (ex) (4) _____

Date of interview 7-30-01

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: all pending in general

Identification of prior art discussed: N/A

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Straher was

informed that a reopening of prosecution based on extending the
examination to previously non-elected species has revealed lack of
independent rep. which would be summarized in a new non-final
action to be made shortly. This ¹² withdraws the priority of the action, mailed

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature

Ardin Marschel

ARDIN H. MARSCHEL
ATTORNEY



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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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19

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) MICHAEL STRAHER (app. rep.) (3) _____
(2) ARDIN MARSCHER (Ex.) (4) _____

Date of interview 5-24-01

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: N/A

Identification of prior art discussed: Coasy et al. (1995) - 112 issue not prior art

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: We discussed the

stereochemistry regarding Compd 16 x 17 on page 551 as being
such that possibly it supports the needed disclosure for the
instant Ex. 77 synthesis. Ex. Marscher will further check this
compd vs Ex. 77 in the instant specification.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

08/973,381

PTOL-413 (REV. 2-93)

Examiner's Signature

Ardin Marscher

ORIGINAL FOR INTERVIEW ONLY. LEFT HAND FLAP OF FILE FOLDER UPPER



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20

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) MICHAEL STRAHER (app. rep.) (3) _____
(2) ARDN MARSCHER (Exr.) (4) _____

Date of interview 6-4-01

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: N/A

Identification of prior art discussed: N/A

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: A FAX was received

and briefly discussed as showing that the compound 17 of Cossy et al. has the proper stereochemistry as needed for the instant page 91 synthesis of the starting material of Ex. 77 on said page 91. A copy of the FAX is attached. The FAX verifies that the Cossy et al. and I. overcomes the previous lack of entitlement seen in the action mailed 8/1/00

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature

LAW OFFICES

WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

**ONE LIBERTY PLACE - 46TH FLOOR
PHILADELPHIA, PA 19103-7301**

(215) 568-3100

**Facsimile: (215) 568-3439
Cable: WOODCOCK**

DATE: June 4, 2001

43731

Please deliver this and the following pages to:

Name: Examiner Marschel

Company/Firm: U.S. PATENT AND TRADEMARK OFFICE

Telecopier No.: 1-703-308-8724

Client/Matter No.: ISIS-2297

SENDER'S NAME: Michael P. Straber

PAGES TO FOLLOW: 2

If transmission is not complete, please call (215) 568-3100.

COVER MESSAGE:

As per our telephone conversation the other day, please find following the two Scifinder pages we discussed.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

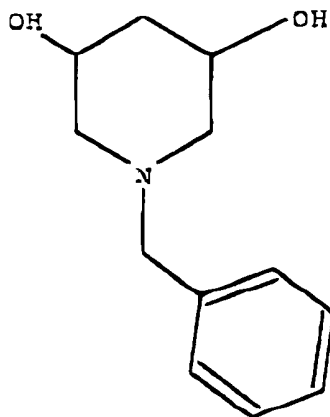
10 May 2001

SciFinder

Page: 1

Chemical Structure task started on Thu May 10, 2001 at 11:07 AM

Input structure:



INCLUDE substance answers where the input structure can be a component of a larger system (e.g. mixtures, polymers).

Explored by Chemical Structure in REGISTRY.

2 Answers

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Copyright 2001 NLM for database MEDLINE

Task History

FAV received
5-14-01, AM

Registry Number: 161564-10-9

CA Index Name: 3,5-Piperidinediol, 1-(phenylmethyl)-, (3R,5R)- (9CI)

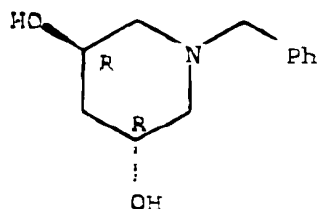
Other Names: 3,5-Piperidinediol, 1-(phenylmethyl)-, (3R-trans)-

Formula: C12 H17 N O2

STN Files: CAPLUS, CA, CASREACT

(Additional information is available through STN International. Contact your information specialist, a local CAS representative, or the CAS Help Desk for Assistance)

Absolute stereochemistry.



-2 References

Database

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